

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:10-HC-2013

UNITED STATES OF AMERICA,                     )  
  Petitioner,                     )  
  v.                                     )                     ORDER  
  )                                     )  
SEAN FRANCIS,                                     )  
Register Number 82919-054,                     )  
  Respondent.                     )

This matter is before the court on the government's 2 February 2010 motion to seal the certification of respondent, filed pursuant to 18 U.S.C. § 4248(a). The sole basis for the motion is that the certification contains information of a "sensitive psychological nature . . . [which] implicates a privacy interest in the [r]espondent[.]" (Br. Supp. Mot. Seal at 1.) The government also notes this court's general practice of filing under seal forensic, psychological and psychiatric reports in cases arising under 18 U.S.C. §§ 4241 *et seq.*

The court has reviewed the certification, and find that it contains no information warranting sealing. The certification is not a psychological or psychiatric report. It contains very brief (but specific) references to psychological/psychiatric diagnoses. It contains details from previous criminal conduct which presumably is the subject of prior open court proceedings. It does not contain any detailed information regarding victims' names. Certifications exactly like the one at issue in this case have not been filed under seal in approximately 95 other cases. The motion is DENIED.

This 10 June 2010.



W. Earl Britt  
Senior U.S. District Judge